

HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR**SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, C.J.****WRIT PETITION (C) NO.5822 OF 2006****PETITIONER**

: Basant Sinha
S/o. Shri Kamta Prasad Sinha, Aged
about - 40 years, Occupation -
Pharmacist, R/o. - village & Post -
Bawankera, Block & Distt. -
Mahasamund (C.G.)

Vs.

RESPONDENTS

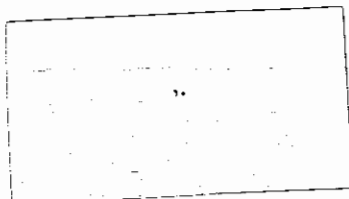
1. State of Chhattisgarh Through :- Upper
Secretary, Health & Family Welfare
Department D.K.S. Bhawan, Raipur
(C.G.)
2. C.G. State Pharmacy Council
Through :- Registrar, Qurt. NO.77,
Sect.3, Geetanjali Nagar, Raipur (C.G.)

Present :

Shri Gary Mukhopadhyay, learned counsel for the petitioner.
Shri Vaibhav Goverdhan, learned counsel for the
caveator/respondent No.2.

ORAL ORDER(Passed on 9th November, 2006)

The petitioner who is a pharmacist takes exception to the conduct of the compulsory Continuous Education Programme (CEP) prescribed for all the pharmacists of the State of Chhattisgarh as directed by the State Government. The power of the State Government to direct such a programme is not and cannot be contested. What is complained before the Court in this writ petition is that if the petitioner and similarly circumstanced other pharmacists who have had fifteen years or more experience in the profession, are required to under go CEP, it would not benefit them in terms of knowledge and it would be very tedious and unnecessary. It needs to be noticed that the CEP prescribed by the State Government is a policy decision of the State taken in exercise of the



statutory power. The wisdom of the State Government in prescribing the CEP cannot lightly be interfered with by the Court nor is it the right of the petitioner and similarly circumstanced other pharmacists who are relatively more experienced in the profession to insist that they should not be subjected to CEP. Furthermore, there cannot be any saturation in acquisition of knowledge. The compulsory Continuous Education Programme, I think, is intended to update the knowledge of the pharmacists to effectively carry on the duties and functions attached to the profession. Therefore, the prescription of CEP to the pharmacists cannot be condemned as irrational or arbitrary. The writ petition is devoid of merit and it is accordingly dismissed. No costs.

Sd/-
Chief Justice

bi